

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 04-10194-RCL-JLA
)	
ANTHONY BUCCI, <u>et al.</u> ,)	
)	
Defendants.)	

ORDER

Having considered the parties' joint motion for exclusion of time under the Speedy Trial Act, the Court will exclude the time periods from July 15, 2004, through August 24, 2004, from the calculations of the Speedy Trial Act.

The defendants initially were charged by criminal complaint and appeared to face the charges in the complaint on or about May 21, 2004. The government moved for detention and the Court conducted detention hearings. The indictment in this case was returned on July 6, 2004.

On July 15, 2004, the Court conducted arraignments for the defendants and the time periods under the automatic discovery rules began to run on that day. Accordingly, the period from July 15, 2004, through August 12, 2004, constitutes excludable delay pursuant to Local Rule 112.2 and 18 U.S.C. § 3161(h)(8)(A).

The Court has scheduled status conferences for various defendants on August 20, 2004, and August 24, 2004. The parties have advised the Court that the time period from August 12, 2004, through the dates of the status conferences should be excluded

because the defendants will require time to review the discovery materials to be provided by the government, including wiretap materials. The parties agree that the interests of justice served by excluding this period of time outweighs the best interests of the public and the defendants in a speedy trial. The Court finds that the requested exclusion of time is in the interests of justice and that the ends of justice served by such a continuance outweigh the interests of the public and the defendant in a speedy trial. Accordingly, the Court finds that the period entire period from July 15, 2004, through August 24 2004, constitutes a period of excludable delay pursuant to 18 U.S.C. § 3161(h)(8)(A).


JOYCE LONDON ALEXANDER
United States Magistrate Judge

DATED: 8/26/04